

REMARKS

Claims 1-35 were previously pending in the application. Applicants submit that no new matter has been added by way of this Response. Applicants explicitly reserve the right to add/pursue the claims as originally filed and/or the previously pending claims at a later date and/or in one or more continuation/divisional application. Applicants respectfully request reconsideration of the instant application in view of the foregoing amendments and the following remarks.

The Examiner's Election Requirement

In the Restriction/Election Requirement dated October 2, 2008, the Examiner states:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-34, drawn to a computer implemented method for performing compliance checking on a request associated with a party to determine if, in view of a relationship between the party and an entity, the request complies with specified restrictions (one embodiment), classified in class 705, subclass 37.

II. Claim 35, drawn to a processor-implemented method for performing compliance clearance of a requested transaction (another embodiment), classified in class 705, subclass 37. (October 2, 2008 Office Action, p. 2, § 1)

Applicants' Election

Applicants respectfully traverse the Examiner's Restriction Requirement and submit that there is no undue burden for the Examiner to conduct a substantive search of the claims in Group I (claims 1-34) and Group II (claims 35). The Examiner has even alleged that claims in both Group I and Group II are classified within the same class (705) and subclass (37). Furthermore, Group II comprises only a single claim. The MPEP prescribes that "[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or

distinct inventions." (MPEP § 803; emphasis added). Applicants respectfully submit "search and examination of all the claims ... can be made without serious burden," and, therefore, that issuance of a Restriction Requirement at this stage is improper. Accordingly, Applicants respectfully request reconsideration and withdrawal of the Examiner's Restriction Requirement.

However, should the Examiner maintain his position, Applicants provisionally elect the claims in Group I (claims 1-34) for substantive examination and expressly reserve the right to pursue the non-elected claims or subject matter in one or more divisional applications at a later time.

In the event that a telephone conference would facilitate examination of the application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of the Response to Deposit Account No. 03-1240, Order No. 17209-019. In the event that an additional extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make the Response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 17209-019.

Respectfully submitted,
Chadbourne & Parke LLP

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